

T. J. BARNES, Publisher.
The Journal is published every morning, except on Sundays and public holidays, at the office of the publisher, No. 101 North Third Street, Charlotte, N. C. The price is five cents per copy, and \$1.50 per annum in advance. The subscription price is \$1.50 per annum in advance. The subscription price is \$1.50 per annum in advance.

WEEKLY ALMANAC.
For the year 1841, published by T. J. Barnes, No. 101 North Third Street, Charlotte, N. C.

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A CARD.
EDWARD DANIEL ASBURY, informs his friends and the public generally, that he has located himself in Charlotte, N. C., where he will be happy to attend the calls of those who may be disposed to favor him with their patronage. His office is in the Office of the Journal, a few doors South East of the Court House.

Gold Mine for Sale.
THE subscribers offer their valuable Gold Mine for Sale known by the name of HICKER'S Mine, five miles North of Charlotte in HICKER'S County, N. C. For terms apply to the subscribers, living on the premises.

The Farmers' Advocate.
PUBLISHED FOR VOLUNTARILY.
SINCE closing the 9th volume, an association has been formed, whereby the subscribers of Mr. W. F. HARRIS, of Davidson County, N. C., will be permitted to assist in the editorial department of the paper, provided a sufficient number of subscribers are procured to sustain it. In which event, the Advocate, after the fact is ascertained, will be published at a reduced price, and will be published weekly at Davidson County, N. C., on a paper of about 35-40 pages. But in the meantime, to avoid the proposed association, the subscribers are requested to send their orders for the paper, as usual, to the publisher, who will be happy to receive them.

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Two Boys from 12 to 15 years of age, to be employed in the country. Apply to the publisher, No. 101 North Third Street, Charlotte, N. C.

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NOTICE.
ALL persons indebted to the estate of John H. HARRIS, are requested to come forward and make payment, and those having claims against said estate, are requested to present them for settlement, or this notice will be placed in the hands of the law.

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DEBATE IN THE SENATE.
On the amendment proposed by Mr. Rives, July 1st, 1841, to the bill to incorporate the subscribers to the Fiscal Bank of the United States.

Mr. CLAY, of Kentucky, addressed the Senate: I regret, and he, extremely that the Senator from Virginia (Mr. Rives), has felt himself constrained by a sense of duty to withdraw his amendment. No good, nothing I fear but untimely interposition, can come out of it, although I am quite sure that it is far from the intention of the Senators. The people want our hands a Bank, a real, old-fashioned Bank—such an one as they and their fathers have tried and experienced the benefits of. Now the institution, the proper organization of which we are considering, is to be a National Bank or a local Bank. If it is to be a National Bank, we have the power to make it, or we have not. If we have the power, if the States have already consented, in the Constitution, to the establishment of a National Bank, no further or other consent is necessary. Indeed, if they have not already given their assent in the Constitution, they cannot give it in any mode other than that which the instrument itself prescribes, according to which there must be the concurrence of three-fourths of the States. This, I think, is too clear for argument. If we have no power to make an individual National Bank, we ought not to attempt it. We ought not to seek to accomplish indirectly what we are not authorized or forbidden to do directly. This district of two miles square was placed under the jurisdiction of the General Government, that the Federal authority might govern it, not that, by means of the local jurisdiction, the whole Union should be governed or controlled. We ought not to apply a power granted for one purpose to the attainment of another purpose, for which it is not granted. I do not think, then, that we can establish a local Bank, and impair to it national functions or functions. But the Bank which the Senator from Virginia proposes, is a National Bank, a Bank of the District of Columbia. The Senator might have spared himself some time in proving the power of Congress to establish such a Bank. There can be no doubt of the existence of such a power. It has been again and again exercised, in the chartering of the Bank of Washington, the Bank of the Metropolis, the Bank of the City of New York, the Bank of the City of Philadelphia, and other Banks. Any one of these Banks might have had the permission of a State to establish a branch within its limits. The Senator's proposition, if adopted, would not essentially differ from these, except in the magnitude of its capital, and the interest which the Government takes in it.

Assuming the existence of the power as a settled and legitimate power, it ought to be exercised for the benefit of the whole Union; and it ought to be so exercised, without soliciting any further consent from the States. If it is a Federal power, if it is granted in the Constitution, upon what possible ground or principle can we place our justification for not exercising the power, without the previous consent of the States, to be expressed hereafter in separate acts? And if we establish the rule that, prior to the exercise of the constitutional power to establish a Bank, we must obtain the consent of the States, what are the limitations, if any, to the rule? Must we not ask the previous consent of the States in every instance of the exercise of the powers granted in the Constitution to the Federal Government? If we propose to establish a Post office, or a mail route, in a State, or to lay and collect taxes, or to perform any other Federal duty, pertaining to this Government, must we not solicit the previous consent of the States?

The Senator from Virginia argues that in making such a Bank as he wishes we only forbear to exercise the power, if we have it, to establish a National Bank; that forbearance to exercise is no abandonment of the power; and that, if his Bank does not work well, we can hereafter resume the power and make another Bank. It is very true, that in consenting to make such a Bank as he proposes, we do forbear to exercise the power to establish a National Bank; for there is quite as much difference between his Bank and a National Bank as there is between any other local Bank—any State Bank—and a National Bank. Just as much difference as there is between a Bank of the District of Columbia, and a Bank of the United States. As a general proposition, it may be true that forbearance to exercise power is not tantamount to the surrender of the power. But there may be, on the other hand, a case of such marked and peculiar character that the voluntary forbearance to exercise a given power amounts to a virtual surrender of that power. And I think the Bank question is such a case. It has been questioned for fifty years and variously decided. During the last eight or ten years the contest has been conducted with the greatest zeal and earnestness, not to say bitterness. The defeated party, not much short of a majority of the nation, stoutly denies, as a party, the power. Now, if the triumphant party, at the close of the contest, refuses to exercise the power, will it not be hereafter construed as a virtual or implied relinquishment of the power? If that party, moreover, declining to exercise the power, puts forth in lieu, but in the name of a National Bank, a rickety, impotent, incompetent local Bank, which I think cannot fail to disappoint the hopes and expectations of the people, how could you afterwards resume the relinquished

power? Why, the people would become disgusted with the very name of a Bank of the United States that they would not allow you to resume the power. The Senator tells us that if his experiment fail we may then make a Bank after the old model. Why, sir, what have we been struggling against for the last eight years? Experiment after experiment until our country has been brought to the very brink of ruin. And, at the very moment when we have not merely seen land, but got as all had hoped, into a safe port; when storms and tempests and experiments were at an end, and the bright sun of hope and prosperity was bursting upon our joyful vision, the Senator from Virginia comes forward and asks us, once more, to put to sea with him on a distant and perilous cruise, and to try another experiment!

The proposition which requires the consent of a State within whose limits a branch is placed, proceeds upon the erroneous assumption that the branch is introduced for the sole benefit of the particular State. But that is not the case. It is put there for the benefit of the Union including the particular State. If the Federal power to put it there exists, it ought to be exercised for the common benefit of the Union, if there be no such power, then the branch ought not to be clandestinely introduced into a State. But Mr. President, see how advantage is taken of the consenting State by the Senator's proposed amendment. It is a part of that amendment that, when an office of discount and deposit is once established in a State, with the consent of the State, the office shall not be withdrawn without the assent of Congress. Now, if your power be incompetent to plant an office of discount and deposit within the limits of a State, without the consent of the State, how, after it is put there, can you hold and maintain it there in spite of and against the will of the State?

Here Mr. Rives interposed, and said that it was a part of the compact made between the sovereign State and the Bank. Mr. Clay continued. Suppose it is a breach of your duty your authority to enforce any contract made between a sovereign State and a corporation? If you are forbidden by the Constitution to place a branch in a State, can you delegate such an authority? Can you, in other words, delegate what you have not, to a corporation? Forbidding to effect an object directly, can you achieve it indirectly?

The project of the Senator from Virginia proceeds upon the supposition that the Constitution has not granted any power to Congress to establish a National Bank. If, therefore, a branch is admitted within a State, it is there, in virtue of the will, under the authority of the laws, and subject to the jurisdiction of that State. It is consequently amenable to, and may be dealt with by the power of the State according to the pleasure of the State. The Senator inquired if it was not competent to Great Britain to admit, if she pleased, the establishment of a branch of office of a Bank of the United States within her limits?

Most undoubtedly she may, and it would be an analogous case to the admission of such a branch by a State. Upon the supposition of the admission of such a branch, would it not be subject to the Parliament of Great Britain? Could the fact that the corporation, whose branch was thus received, was created by a foreign sovereignty, exert any restraint upon the power of the British Parliament in dealing, as it pleased, with the alien or emigrant branch which it had thus received?

The branch, located within the State by the consent of the State, to all intents and purposes would be a local institution, governed by the local laws. That, I think, would be the case of any branch unconditionally admitted by the Legislature of a State. But if you organize a bank within this district, and in the terms of its charter, announce to the States that branches can only be admitted within their limits by their consent and authority, you necessarily invoke the several States to deliberate on the question of admission which they are thus called upon to decide. And if they may consent or not consent, according to their option, they may consent absolutely or upon conditions, according to the views which they may happen to take, not of the interest of the whole Union, but of their several communities. Thus a power which, if it exist, beyond all question was delegated for the general good, and to be exercised by the Senate and House of Representatives of the United States in Congress assembled, is devolved upon each of twenty-six State sovereignties, to be exercised according to their respective opinions of the interests of each of them.

And can it be doubted that the consent of the several States, if, indeed, any of them did consent, would be coupled with various restrictions and conditions, according to what they might deem best for their several communities? The taxing power would probably be insisted upon by all of them. The Bank would be told, yes, you may establish a branch, but you must pay the same tax that the local banks are subject to. We cannot receive a stranger within our borders and let him fare better than the natives. And who could withstand the force of that argument before the people of any State in the Union? Other conditions would be sought to be imposed, such as the nature of the business to be transacted by the branch, the rates of exchange, the denomination of notes, the participation of the State authorities in the direction, &c. A fruitful source of contention, in some States, would be the place of location of the branch; just as we have seen the terminus of a canal or railroad, or the

location of a road, distracting and agitating a whole State.

Another question of great importance would be the degree of legal protection which the branches would enjoy in the several States which might admit them. Concede the power of Congress to establish a National Bank, and the right to protect its existence and its operations, necessarily results to Congress. Deny that power, and it must be wholly dependent upon the States. The Committee have inserted in this bill adequate provisions to punish counterfeiters of the issues of the Bank, and its officers, agents, and servants, who may embezzle its funds. These provisions are valid and will be effective, on the supposition of the existence, in the Federal Government, of a power to establish a National Bank, but, if no such power exist, or if existing, you forbear to exercise it, these provisions will lose all their force and efficacy. For Congress cannot, if it is not authorized to establish, or does not mean to establish a National Bank, pass penal laws operating beyond the territory of this District. The enactment of penal legislation, operating to deprive a man of life or liberty, is the highest imaginable exercise of human authority. Congress cannot extend its protection of the Banks of the District of Columbia, beyond the limits of the District into the limits of the States. These alone must afford their protection, or they would have no legal protection. Now what would be the condition of this Fiscal Bank, as to crimes committed against it in the States? In the States admitting branches? In the States refusing the admission of branches?

My friend from Virginia has argued to prove that Congress possesses the power to make such a Bank as this is; that when it is brought into existence by the authority of Congress, its corporate capacity is complete; and that Congress may invest it with the privilege of contracting with the States for the introduction of its branches. When introduced, he thinks the purpose of its institution may be accomplished. There is no doubt, I repeat, that Congress may create such a Bank; but it is, nevertheless, nothing more nor less than a Bank of the District of Columbia. If it should have any exterior action, through offices or agencies situated beyond the District, that exterior action would not result from the legislation of Congress, but from the legislation of the States by which their consent was granted to establish these offices or agencies within their limits. And the States would have just as much a right to allow of these offices or agencies whether there was any grant from Congress or not to the corporation, in its charter, to establish things. For there can be no doubt, I presume, that the Bank of the Metropolis might now establish such an office or agency, in any State that would permit it, notwithstanding the silence of its charter on that subject.

The Pennsylvania Bank of the United States, it has been understood, has or had its agencies in other States, which must have depended solely upon the toleration of the laws.

No amendment to the charter, made by the committee, has commended from the Senator from Va., warmer commendation than that which denies to the Fiscal Bank all power of discounting within the District, and compels it to transact that part of the business of banking, through its offices, beyond the District. Considered as a National Bank with branches, emanating from, and protected within the States, by the national authority, I think that feeling is worthy of all the Senators' admiration. But it is to be regarded as a mere District Bank, springing from the power of local legislation, possessed by Congress, it would be certainly a most anomalous and ridiculous feature. In the view of it, Congress will have made, in virtue of its local power of legislation, a Great District Bank, which is strip of all essential power of banking within the District, and transacts all its important business beyond the boundaries of the District. We shall have made it out of a monster indeed, with a body, destitute of life, animation or action where it abides, but which may throw out all around it into the States its long and huge paws or branches to conduct the most extensive operations there! Mr. President, is this such a National Bank as the people of the United States expect from Congress?

The Senator from Virginia has invoked a spirit of concession, compromise and conciliation on our deliberations. I believe, sir, that I have not been heretofore found wanting in yielding to the influence of such a spirit. The question is, a National Bank or no National Bank, constitutionally or unconstitutionally, power or no power. How are these opposite properties or qualities to be reconciled or compromised? There is no mean or middle term. If you establish a really National Bank, emanating from, organized and protected by the power of Congress, and operating within the States, without their consent or control, those who deny the existence of the constitutional power of Congress to control such an institution are disappointed, and think they are called upon to yield every thing. And, on the other hand, if you establish a mere District Bank, with branching powers in the States, dependent upon their will, the friends of the constitutional power of Congress think that you reach the people with an incomplete institution and call them to surrender every thing.

And this, it seems to me, is the sort of concession or compromise which the Senator from Virginia calls upon us to make—a concession of every thing on our side and nothing on his—a compromise in which he gets all and gives nothing! We were extremely glad, Mr. President, to find the honorable Senator, although under another

Are we sure that if we pass a Bank, whose operations are wholly dependent upon the corporate movement of twenty-four States, we shall secure the desired repose? I fear not. I fear that such an institution will be but the commencement of our Bank troubles; but the constituents of the Bank country. We shall throw among the people a new apple of discord. All the old prejudices against a Bank will be revived, and they will be exaggerated and augmented by the new questions and new issues with which this curious scheme is surrounded. Can power be devolved to the General Government, directly or indirectly, by the consent of the State? Shall the States con-

as she could procure no more, there being an unusual scarcity at that time. The fellow examined the paper and swore it was nothing but Indian meal, and that he would bring her two laurels for a guinea, the next voyage he went. Upon this, the imposture was discovered, and the good woman had to decamp."

MATRIMONY.

Real men and women never snarl at mechanics and operatives. But self-styled gentlemen and ladies not infrequently do. We have heard of a lady who once left a hall-room because a mechanic entered. She married a haughty knight, and died a wretched ruin. And of a gentleman who did the same thing, and not long afterwards was compelled to go to a mechanic to be saved from jail. Labor not only redeems to wealth, but more. "Six days shalt thou labor," saith the Scripture.—Rocky Mountain Advertiser.

Wednesday, July 21.
The Fiscal Bank bill was discussed until near 4 o'clock, when, after being amended, it was laid on the table and ordered to be printed as amended.
The bill making appropriation for a home apedures, was twice read, and referred to the committee on naval affairs.
The bill to amend the act entitled "an act for taking the sixth census" was considered in committee of the whole, and passed.

HOUSE OF REPRESENTATIVES

Mr. Profit offered a resolution directing that the bill be reported to the House at two o'clock to-morrow; which resolution was adopted—yeas 27, nays 76.

Saturday, July 17.

Mr. Arnold moved a reconsideration of the vote by which the resolution of Mr. Profit was yesterday adopted, and supported his motion in a speech of some length.

Mr. Boffa offered a resolution that at 12

The House again resolved itself into committee of the whole on the state of the Union, and proceeded farther to debate the Fortification Bill.

Tuesday, July 30.

The Fortification Bill was again taken up in committee of the whole on the state of the Union, and debated until 12 o'clock:

and then, in pursuance of the order of the House of Saturday last, the committee proceeded to vote on the amendments. Having gone through with the amendments, the Committee rose and reported the bill and amendments to the House.

In the House, under the operation of the previous question, the amendments of the committee were not considered.

The bill was then ordered to a third reading, and being read by its title, Mr. Andrew moved that the further consideration of the bill be postponed.

Mr. Sergeant, from the same committee, reported with amendments, the bill from the Senate, to repeal the act commonly called the sub-Treasury law; which bill was read twice by its title.

On motion of Mr. Williams, of Md., the amendments were read.

And, on motion of Mr. Sergeant, the

The bill was read twice by its title, and, on motion of Mr. B. the bill and report were ordered to be printed.

A resolution reported from the judiciary committee, declaring it to be inexpedient to take up the Bankrupt bill for consideration during the present session, was after some discussion, laid on the table, by

The following story, by Hoge, is irresistible:

— It's a good sign of a dog when his face grows like his master's. It's good, but it's dangerous.

was a frequent one, however, he never saw the wonderful attentive among a rather sleepy congregation." Hector and me did use neither pipe nor hook; and I was afraid Mr. Fettes would have observed it; but he was a simple, primitive, unassuming and man—a very Methuian with out guile—and he poisoned nothing, tho' both Hector and me was like to spill; and the day after laughter in his slave for dear than a hundred yards, could stand it no longer, but was sh-

The next appears to it an emergency was such as to make a laughing stock of those engaged in it; and in Illinois the law is about to take hold of it, and in a right manner, by making the first examples, of those who have station and power. The following paragraph is from the Alton Telegraph, of the 30th ult. Its spirit is much to our

By E. H. Harriman, of Springfield; the first for sending a challenge, the second for accepting said challenge. A capias has been issued in each of these cases, returnable on the fourth Monday of July next; at which time we trust the parties will be tried, and if guilty, convicted.—Under our laws, the penalty is fine in a

he former in the Judicial, the latter in the Legislative department of our State government—and if guilty, should be made salutary examples of.

... leaders in galleys, and look out upon
... Napoleon's remains have a larger head
... distribute the army in the East, take up
... line and finish the 'British Minister'—
... make the 'young Princess' to run on with
... 'Dutchess of Kent'—above the 'Kaiser'
... out of the chase—get your stick con-
... the 'heir murder' that has begun
... last night—each your hands come in to dis-
... and then see that all this is a shared

The particulars of the dramatic and human proceedings are detailed in the enclosed extract of a letter from the gentleman himself:

New Haven, July 25th.

"We found my wife's friend very gay;

hardly permitted a footstep to be heard in the house. Under these circumstances, I saw what our challenge must have been, last night, to find a mob of negroes, led by two white men, calling themselves Ministers of the Gospel, collected around the house, and enquiring for one of my servants. I was soon apprised that there was

premises, pledging my word and offering every security that she should be in London on the day appointed for her trial.—He then called in two of those emissaries of hell, the ministers mentioned above—one an Universalist, called Spear and the other, I blush to say it, a Methodist, named

that they would not disturb the last moments of a dying man, by causing as much excitement in his family. I represented to them, too, how sick my child was, and how dependent we are on the services of this girl; her mares, and how essential it was that she should remain with us through the night. To all this, they were deaf, and

She was escorted by this band of accomplices to the Dugby, and left amidst their

for ten times her value, that she should
suffer from this determination. I go to
Boston to-morrow to await her trial on
Saturday. There will of course be great
excitement there, and even if the Judge
clear her, the negroes may attempt to re-
scue her. Under all this excitement, it
will be impossible to prevent her being re-

and did not at such outrageous proceedings—and not a man amongst them, who does not blush for this stain upon the reputation of this State. Before leaving Del Puerto, I told my servant she would be free as soon as she reached Philadelphia, but hoped she would not listen to the persuasions she would have to leave us.

Very respectfully,
Yours, &c.

His success proves how much of the success or misery of future life comes down upon the shoulders of accidental circumstances. Indeed the history of literature is full of such incidents.

Death from Fear.—Mr. Innerdort

ing Alley, Philadelphia, who, from frightened by the thunder storm on Thursday afternoon, was seized with a fit of nervous

...had been the first person to see the
...the first person to see the
...the first person to see the

Mr. Woodbury said he required no assurance to let the world know that the Senator had changed—that was impossible.

signature, to sign it without even looking at the caption, taking for granted that it is all right. Of course, if you have serious doubts, and cannot proceed with so little trouble—then proceed without consideration—that their influence is not likely. A man should never sign a petition

... says, "It seems to me a million, the prayer of which should be responded to be feelings of humanity, contrary to all reason, and what could never possibly be created by any human power. The lot was accepted, and the man drew at his million, and in three days returned the wealth of a kingdom. He had secured

[illegible]

light," Dr. Dr. Another understood it—— to say, when he presented it to him, that it was in favor the appointment of our friend, and, realizing it was all right, did not think it necessary to raise an objection," Dr. Dr. All had their excuses. Then it will be seen how dangerous

(the most important combination ever found for inducing a fever. The Confidential says:—It is undoubtedly that in fact can be obtained by forced cooling perhaps by a water immersion-bath, combined with a cold dry friction with the blue key, more by the same combination.

...the fact that the ...
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